

Remarks

Please cancel pending claims 1-7 and add new claims 20-31. The new claims are directed to methods of using specific steel alloys in providing a saw band which is resistant to hydrogen embrittlement. These claims are believed to patentable in view of the prior art made of record and in a condition to be allowed.

As recited in the claims, the alloy includes a selected weight percent of niobium. In contrast, U.S. Patent No. 5,562,786 describes a thermally treated sintered alloy which is free of niobium. U.S. Patent No. 5,458,703 does not fairly disclose a steel that is resistant to embrittlement by hydrogen. Applicants submit that one of skill would have little reason to combine the '786 and the '703 patents.

Japanese reference 2000 – 144 344 would seem to be even less relevant in that it contains a mandatory 0.015 to 0.19% sulfur and 0.003 – 0.05% tellurium.

As for the rejection for obviousness-double patenting, Applicants request that in view of the new claims 20-31, such rejection is no longer proper and should be withdrawn.

Reconsideration and allowance of the claims are respectfully requested.

Respectfully submitted,



Andrew G. Kolomayets
Registration No. 33,723

COOK, ALEX, MCFARRON,
CUMMINGS & MEHLER, LTD.
200 West Adams Street - #2850
Chicago, IL 60606
(312) 236-8500